

Message Text

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PAGE 01 OECD P 10140 01 OF 02 221033Z

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ACTION EB-07

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TO SECSTATE WASH DC 6676

C O N F I D E N T I A L SECTION 01 OF 02 OECD PARIS 10140

EXCON

E.O. 11652 XGDS1

TAGS: ESTC, COCOM

SUBJECT: COCOM LIST REVIEW-ACTION SUMMARY-SEVENTH (AND
LAST) WEEK OF ROUND II (APRIL 14 - 17)

REF: OECD PARIS 10062

SUMMARY: EVEN THOUGH THE USDEL RECEIVED INSTRUCTIONS ON ALL SIX ITEMS SCHEDULED, THEY WERE NOT SUCH AS TO PERMIT THE RESOLUTION OF ANY. US ACTION SHOULD PERMIT CLOSING OF IL 1587, AND AGREEMENT ON COMPROMISE PROPOSALS ON IL 1585 SEEMS NOT BEYOND THE POSSIBLE. THE MOST CRITICAL ISSUE REQUIRING TECHNICAL ADVICE AND POLICY DECISION, HOWEVER, IS WHETHER THE US CAN ACCEPT CONTINUED SPECIFIC CONTROL OF TECHNOLOGY OF SOME SUBITEMS NOW EMBARGOED UNDER IL 1572, BUT AGREE TO THE EXCLUSION OF END-ITEMS NOW SUBJECT TO ADMINISTRATIVE EXCEPTION NOTES. USDEL/WASH TEAM BELIEVE IT CAN AND SHOULD. ON THE ASSUMPTION THAT AT LEAST TECHNOLOGY CONTROLS OVER TAPE MANUFACTURE WILL CONTINUE, THE JAPANESE PROPOSALS FOR IL 1356 AND 1358 SHOULD LAPSE AND REQUIRE NO FURTHER SPECIFIC CONSIDERATION. WE HAVE PROBABLY CONVINCED THE JAPANESE NOT TO PRESS THEIR DELETION PROPOSAL FOR IL 1588 (B)(2), BUT THEY MAY BE BACK WITH A MORE MODEST SUGGESTION FOR PARAMETER CHANGE IN THAT SUBITEM, AND AN ASSOCIATED AMENDMENT TO IL 1358. ON THIS, WE COULD WAIT AND SEE, BUT
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PAGE 02 OECD P 10140 01 OF 02 221033Z

PREFER THAT CONTINGENCY INSTRUCTIONS FOR ROUND III BE

DEVELOPED. ACTION REQUESTED: AS NOTED BELOW AND IN
ITEM REPORTING. END SUMMARY.

1. IL 1356 AND 1358 - RECORDING MEDIA AND MEMORY MANUFACTURING EQUIPMENT. DISCUSSION ON THESE TWO ITEMS WAS AGAIN POSTPONED BY THE JAPANESE - WITH US URGING - SINCE AGREEMENT ON IL 1572, RECORDING EQUIPMENT AND MEDIA, HAD NOT YET BEEN ACHIEVED (SEE OECD PARIS 9880). THERE IS, HOWEVER, THE POSSIBILITY OF A LATER SUGGESTION FOR AMENDMENT OF IL 1358 IN CONNECTION WITH THE JAPANESE PROPOSAL FOR MODIFICATION OF A SIZE PARAMETER IN IL 1588 -CRYSTALLINE MATERIALS (OECD PARIS 9879). EVENTUAL INSTRUCTIONS ON IL 1572 SHOULD ALSO DEAL WITH OUR POSITION ON IL 1356 AND 1358.

2. IL 1572 - RECORDERS AND RECORDING MEDIA. OTHER DELEGATIONS PRESSED FOR LIBERALIZATION OF EQUIPMENT AND RECORDING MEDIA ALREADY SUBJECT TO ADMINISTRATIVE EXCEPTION NOTES, ON THE UNDERSTANDING THAT EXCLUSIONS WOULD HAVE NEGLIGIBLE ADVERSE STRATEGIC EFFECT IF COUPLED WITH CONTINUED CONTROLS ON TECHNOLOGY. EXCEPT FOR THE FRENCH RESERVE FOR A HIGHER PACKING DENSITY CUT-OFF, ALL DELEGATIONS ACCEPTED A US PROPOSAL TO EXCLUDE DIGITAL RECORDERS USED WITH WORD PROCESSING EQUIPMENT (OECD PARIS 9752). AN AD REF US PROPOSAL TO DEAL WITH METRO TURNSTILE, CHECK CLEARING, AND PRICE TAGGING EQUIPMENT (INTER ALIA) WAS FAVORABLY RECEIVED, AND THERE WAS SUBSTANTIAL AGREEMENT ON THE ASSOCIATED (BUT SEPARATE) PROPOSALS TO DELETE THE PRESENT MISLEADING EXCLUSION CLAUSE IN NOTE 1 AND TO STRENGTHEN CONTROL ON FLEXIBLE DISC TECHNOLOGY. DETAILS OF THE DISCUSSION ARE REPORTED IN OECD PARIS 9902, AND OUR ANALYSIS AND RECOMMENDATIONS APPEAR IN OECD PARIS L0063. EDAC AGENCIES MUST DECIDE WHETHER THE COURSE SUGGESTED BY OTHER MEMBERS IS ACCEPTABLE; IF SO, PROPOSE ANY CLARIFYING COUNTERPROPOSAL DEEMED NECESSARY; AND, IF NOT, COME UP WITH CONVINCING REFUTATIONS IN TERMS OF THE COCOM CRITERIA. AS A MATTER OF PRIORITY THE USDEL SHOULD BE INSTRUCTED TO CONFIRM THE AD REF PROPOSALS DESCRIBED IN PARA. 22 OF OUR 9902. WE SHOULD ALSO BE AUTHORIZED TO STATE THAT WE
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PAGE 03 OECD P 10140 01 OF 02 221033Z

AGREE THAT THE ADMINISTRATIVE NOTE IN (III) OF PARA.
22 COULD TAKE EFFECT IMMEDIATELY AFTER COMMITTEE
AGREEMENT, PENDING FINAL RESOLUTION OF IL 1572 IN GENERAL.

3. IL 1585 - PHOTOGRAPHIC EQUIPMENT. PROMPT REVIEW OF
THE US POSITION IS REQUIRED TO TAKE ACCOUNT OF EVIDENCE
PRESENTED BY OTHER DELEGATIONS IN THE ROUND II DISCUSSIONS. THAT REVIEW SHOULD ALSO DEAL WITH THE APPARENT

INCONSISTENCY OF OUR MOST RECENT INSTRUCTIONS WITH EAR-

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PAGE 01 OECD P 10140 02 OF 02 221030Z

16

ACTION EB-07

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LIER TTG ADVICE AND WITH THE COCOM STRATEGIC CRITERIA. OECD PARIS 9842 GIVES DETAILS AND SUGGESTS THAT RESOLUTION BEFORE ROUND III IS POSSIBLE BY JOINING THE MAJORITY.

4. IL 1587 - QUARTZ CRYSTALS. USDEL AND WASH TEAM MEMBERS WERE PUZZLED BY RETROGRADE NATURE OF INSTRUCTIONS RECEIVED ON THIS ITEM, SO MUCH AT VARIANCE WITH PREVIOUS TECHNICAL ADVICE. OECD PARIS 10060 RECOMMENDS THE PROMPT LIFTING OF US RESERVES ON THE UK PROPOSAL FOR (B) (2), THE OTHERWISE AGREED (3), AND THE JAPANESE PROPOSAL FOR A TRULY MARGINAL CHANGE. THIS ACTION WOULD PROBABLY ENCOURAGE OTHER RESERVING DELEGATIONS TO LIFT THEIRS AS WELL.

5. IL 1588 - CRYSTALLINE MATERIALS. AS NOTED IN OECD PARIS 9869, A POSITION PAPER ON THIS ITEM APPARENTLY WENT ASTRAY AND NEVER REACHED THE USDEL. THAT SAME POSITION WAS USED IN ROUND II BY ITS DRAFTER, DR. FINKLER, AND SEEMED TO CONVINCE THE JAPANESE THAT THEIR PROPOSAL TO DELETE SUBITEM (B)(2) WAS ILL-ADVISED. AS REPORTED IN OECD PARIS 9879, HOWEVER, THE JAPANESE MAY NOW COME UP WITH A REVISED PROPOSAL TO DECREASE THE SIZE PARAMETER IN (B)(2) AND TO MAKE COMPENSATING CHANGES IN IL

1358. WE SHOULD BE PREPARED WITH CONTINGENCY INSTRUCTIONS FOR ROUND III.

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PAGE 02 OECD P 10140 02 OF 02 221030Z

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